



Town of Lancaster

TOWN PLANNING BOARD

21 Central Avenue
LANCASTER, NEW YORK 14086

September 3, 2014

Planning Board Members:

Neil Connelly, Chairman
Rebecca Anderson
Anthony Gorski
Joseph Keefe
Lawrence Korzeniewski
Kristin McCracken
Melvin Szymanski

Town Board Members:

Dino Fudoli, Supervisor
John M. Abraham
Mark Aquino
Ronald Ruffino, Sr.
Donna G. Stempniak

Engineering Consultant:

Robert Harris, Wm. Schutt & Associates

Town Attorney:

John M Dudziak

Town Highway Superintendent:

Daniel J. Amatura

Building & Zoning Inspector:

Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held September 3, 2014. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Neil R. Connelly
Planning Board Chairman

NRC:mn

Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the third day of September 2014 at 7:30 P.M, and there were present:

PRESENT: Neil Connelly, Chairman
Rebecca Anderson, Member
Anthony Gorski, Member
Joseph Keefe, Member
Lawrence Korzeniewski, Member
Kristin McCracken, Member
Melvin Szymanski, Member

EXCUSED: None

ABSENT: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant-Wm. Schutt & Assoc.
Leonard Campisano, Assistant Building & Zoning Inspector
Kevin Loftus, Deputy Town Attorney
Mary Nowak, Recording Secretary

Meeting called to order by Chair Connelly at 7:31 P.M.

Pledge of Allegiance led by Member Anthony Gorski.

Minutes – A motion was made by Rebecca Anderson to approve the minutes from the July 16, 2014 Planning Board Meeting. Motion seconded by Joseph Keefe and unanimously carried.

Communications List September 3, 2014

- 9.03.01 Planning Board minutes of 7/16/14.
- 9.03.02 Traffic Impact Study for Harris Hill Senior Housing prepared for Natale Bulders, revised 7/14.
- 9.03.03 Copy of letter dated 7/17/14 from Office of Town Clerk to Sean Hopkins that includes memo of recommendation adopted by Planning Board 6/4/14 for Edgewater Apartments project.
- 9.03.04 Copy of letter dated 7/24/14 from Office of Town Clerk to Sean Hopkins that includes copy of resolution adopted by Town Board on 7/21/14 for Edgewater Apartments. The resolution approves site plan, with 3 conditions.
- 9.03.05 Copy of letter dated 7/24/14 from Office of Town Clerk, to Daryl K. Martin, Architect, with copy of resolution adopted by Town Board on 7/21/14 approving site plan for storage building at 6675 Transit Rd.
- 9.03.06 Rezone petition 00 Genesee St. proposing change from RCO to CMS. Proposed use would be a vehicle staging area for Enterprise Rent-A-Car.
- 9.03.07 Memo from General Crew Chief dated 7/25/14 indicating no issues with sketch plan for proposed Hidden Meadows Subdivision.
- 9.03.08 Memo from General Crew Chief dated 7/25/14 indicating no issues with site plan for Advantage Fitness.
- 9.03.09 Notice of SEQR reviews to be held 8/4/14.
- 9.03.10 Memo from General Crew Chief dated 7/29/14 indicating no issues with sketch plan for Summerfield Farms, Part 7, as long as storm water retention ponds are privately owned requiring no further maintenance by the Town of Lancaster.
- 9.03.11 Memo from General Crew Chief dated 7/29/14 indicating no issues with rezone petition for 0 and 5425 William St.
- 9.03.12 Memo from Town Clerk noting that due to proximity of the Genesee St. rezone to the Hull House property, a full EAF was requested from the applicant.
- 9.03.13 Minutes of MRC meeting of 8/4/14.

- 9.03.14 Memo from Jeffrey Simme noting that the 8/6/14 Planning Board was canceled.
- 9.03.15 Memo from Town Attorney that SEQR reviews will be held on 8/13/14.
- 9.03.16 Minutes of ZBA meeting of 8/14/14. Petitioners request an area variance and a height variance for a private garage. The hearing was adjourned to 9/11/14 pending further testimony and evidence.
- 9.03.17 Minutes of MRC meeting of 8/18/14.
- 9.03.18 Copy of letter dated 8/21/14 from Office of Town Clerk to Angelo Natale, with copy of resolution adopted by Town Board on 8/18/14 granting rezone of 375 & 391 Harris Hill Rd.
- 9.03.19 Copy of legal notice of public hearing to be held on 9/11/14 at 7 P.M. relative to variance petitions of Scott and Audrey Phillips, 145 Brunck Rd, for purpose of constructing a private garage.
- 9.03.20 Request from Supervisor Fudoli's office for departmental requests for 2015 budget.
- 9.03.21 Copy of letter from Lee Chowaniec, et. al. to Erie County Department of Public Works, to make county aware of overburdened transportation system in the Town of Lancaster. The correspondence asks the county "to refuse the permitting of 2 curb cuts to construct Harris Hill project driveways until some traffic control mechanism can be incorporated to alleviate traffic congestion ...".
- 9.03.22 Notice of training to be held Thursday, 10/9/14 from 5 - 9:30PM in Sanborn.
- 9.03.23 Notice of training to be provided on Wednesday, 9/10 from 5:15 - 6:30 or 6:45 - 8:00 P.M. at Town of Amherst Senior Center on Audobon Dr.
- 9.03.24 Letter from NYSDEC with comments regarding rezone petition for 00 Genesee St. to establish a vehicle holding area.

ACTION ITEMS -

REZONE PETITION – COLUMN DEVELOPMENT, 0 GENESEE STREET, PRESENT ZONING RCO (RESIDENTIAL, COMMERCIAL, OFFICE). PROPOSED ZONING IS CMS (COMMERCIAL, MOTOR, SERVICE). PROPOSED REZONING SITE PLAN APPROVAL FOR A VEHICLE STAGING AREA FOR ENTERPRISE RENT-A-CAR AND SALES. CONTACT PERSON: DARYL MARTIN ARCHITECT.

Daryl Martin, Architect presented to the Planning Board the rezone petition for property located at 0 Genesee Street for a vehicle staging area for Enterprise Rent-A-Car and Sales. The 6.4 acre parcel is located on the north side Genesee Street between Harris Hill Road and Stony Road, across from The Boston Hotel. Mr. Martin told the Planning Board that 4 to 5 acres of the parcel will be used for a temporary vehicle storage lot and remarketing area for up to 300 newer vehicles (2013 & 2014). There will be no auto service performed at

the site nor will there be any auctions held. Vehicles will be sold wholesale to dealers. The majority of the vehicles will be driven to the site. Car carriers may be used 2-3 times per week for deliveries. The storage lot will be fenced in. Mr. Martin stated that a 1,600 sq.ft. wood structure will be constructed. Lighting will only be around the structure. There will be no lighting in the storage area. Water, gas, and electric are available for this parcel. Sanitary sewers are necessary for this project. The hours of operation will be Monday through Friday 7:30AM to 5:30PM. The following items were discussed:

Wetlands and floodplains – Town Engineer Robert Harris stated that most of this parcel lies in a 100-year floodplain. He asked whether the parking area will be raised. Mr. Martin stated that the parking lot would not be raised, and that either a retention pond or wells for drainage will be shown on the design. He also stated that the parking area will not be paved, but that millings covered with oil to contain the dust will be used in the storage area. Town Engineer Robert Harris told Mr. Martin that although the storage area is not being paved, by using this process the area will eventually become impervious. Since this area often floods in the spring and autumn, the water from the impervious area would most likely affect neighboring parcels.

Restrictions - Mr. Martin stated that not all of the parcel will be used for this project. The Planning Board discussed whether restrictions could be placed on that portion of the parcel that is not being developed and asked the Deputy Town Attorney to look into whether restrictions can be placed on the remainder of the parcel that is not being developed regardless of rezoning.

Spot zoning – Since there are existing residences near this project, the Planning Board was concerned with whether this would be spot zoning. There was a concern with the rezoning of this property and what would happen if this business should leave after a year or two, and what other type of project might be built on this site. The Planning Board questioned whether the zoning can revert back to RCO if this project leaves this site. The Planning Board asked the Deputy Town Attorney to do research on this and get the information back to the Planning Board prior to the next Planning Board meeting.

DETERMINATION

Based on the information provided to the Planning Board, a motion was made by Joseph Keefe to table this project to the next Planning Board meeting on September 17, 2014. Deputy Town Attorney Kevin Loftus to provide the Planning Board with additional information prior to the next Planning Board meeting concerning spot zoning, restrictions on the undeveloped portion of the parcel, and whether the zoning for this parcel can revert back to RCO if this business should leave the site. Roll call vote as follows:

Chair Connelly - Yes	Lawrence Korzeniewski - Yes
Rebecca Anderson - Yes	Kristen McCracken – Yes
Anthony Gorski – Yes	Melvin Szymanski - Yes
Joseph Keefe – Yes	

OTHER MATTERS – None

At 8:09PM a motion was made by Rebecca Anderson to adjourn the meeting. Motion seconded by Joseph Keefe and unanimously carried.